

Message Text

CONFIDENTIAL

PAGE 01 STATE 164940
ORIGIN EA-12

INFO OCT-01 ISO-00 CIAE-00 INR-10 NSAE-00 PM-05 NSC-05
SP-02 SS-15 /050 R

DRAFTED BY EA/K:FMISCH, MR. RICH:LKD
APPROVED BY EA/K: DBLAKEMORE
-----076908 290004Z /75

P 282302Z JUN 78
FM SECSTATE WASHDC
TO AMEMBASSY SEOUL PRIORITY

C O N F I D E N T I A L STATE 164940

E.O. 11652:GDS

TAGS: PGOV, KS, US

SUBJECT: KOREAGATE INVESTIGATION DEVELOPMENTS

1. ROK EMBASSY LATE JUNE 26 PROTESTED THAT AMB KIM YONG-SHIK'S AMERICAN CITIZEN SECRETARY, ELINOR KELLY, HAS BEEN CONTACTED BY AN FBI AGENT WHO WANTED TO QUESTION HER ABOUT EMBASSY ACTIVITIES. THE AGENT ALLEGED THAT HE HAS STATE DEPARTMENT APPROVAL. WE HAVE CONFIRMED TO ROK EMBASSY THAT NO SUCH STATE DEPARTMENT APPROVAL HAS BEEN GIVEN, AND INFORMED THEM THAT MS. KELLY HAS DIPLOMATIC PRIVILEGES AND IMMUNITIES UNDER 22 USC 252-54. SHE MAY OF COURSE DECIDE TO DISCUSS SUCH MATTERS VOLUNTARILY.

2. ON ANOTHER SUBJECT, ON JUNE 27, ROK EMB. COUNSELLOR SHIN DO-BYONG CONVEYED ROKG PROTESTS CONCERNING A SUBPOENA ISSUED BY FRASER SUBCOMMITTEE AGAINST RIGGS NATIONAL BANK OF WASHINGTON FOR THE PERSONAL BANK ACCOUNT RECORDS OF FORMER ROK EMBASSY WASHINGTON DIPLOMAT CH'OE HONG-T'AE WHO WAS COUNSELOR OF EMBASSY FROM 1971-74. THE SUBPOENA HAS A RESPONSE DATE OF JUNE 30. SHIN STATED THAT IF THE RECORDS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 164940

ARE PROVIDED TO THE SUBCOMMITTEE THE ROKG WILL MAKE A FURTHER FORMAL PROTEST IN WRITING. DEPARTMENT INFORMED SHIN THAT OUR POSITION OF SUBPOENA OF BANK RECORDS IS WELL AND FULLY KNOWN TO ROK EMBASSY. WE HAVE CONVEYED OUR POSITION NUMEROUS TIMES. IT WAS CLEAR THAT US AND ROKG

VIEWS OF VIENNA CONVENTION APPLICABILITY TO BANK RECORDS

ARE DIFFERENT. WE FULLY UNDERSTAND THE ROK VIEW AND THERE SHOULD BE NO MISUNDERSTANDING OF OURS SINCE WE CONSIDER THAT THESE RECORDS ARE PRIVATE PROPERTY OF THE BANK AND THEREFORE SUBJECT TO SUBPOENA. THERE APPEARS TO BE NO ROOM FOR ACCOMODATION ON THIS ISSUE, UNLESS ROKG DESIRES TO APPEAL OUR INTERPRETATION TO THE COURT OF JUSTICE. WE INFORMED MR. SHIN IF THE EMBASSY AGAIN PROTESTS IN WRITING, WE WOULD AGAIN REPLY IN WRITING BUT THAT OUR POSITION IS FULLY KNOWN AND IS NOT LIKELY TO CHANGE. VANCE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CORRUPTION, BRIBERY
Control Number: n/a
Copy: SINGLE
Draft Date: 28 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE164940
Document Source: CORE
Document Unique ID: 00
Drafter: FMISCH, MR. RICH:LKD
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780268-0423
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780610/aaaaaimq.tel
Line Count: 71
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ba08077c-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 17 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2132752
Secure: OPEN
Status: NATIVE
Subject: KOREAGATE INVESTIGATION DEVELOPMENTS
TAGS: PGOV, KS, US, (YOUNGSHIK, KIM)
To: SEOUL
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/ba08077c-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014